

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DIEGO FRAUSTO,)
)
Plaintiff,) **Case No. 10-1363**
)
v.)
IC SYSTEM, INC.,)
)
Defendant.)

MOTION FOR EXTENSION OF TIME TO FILE DISPOSITIVE MOTIONS

Defendant, IC SYSTEM, INC. (“IC”), moves for a 35-day enlargement of time for the parties to file dispositive motions, stating as follows:

1. Plaintiff’s complaint alleges violations of the Fair Debt Collection Practices Act and the Telephone Consumer Protection Act.
2. By order dated October 6, 2010, the Court directed the parties to file cross-motions for summary judgment by January 27, 2011. The order states that, “Parties are to serve opening motions and responses with other before submitting briefs to the Court.” The order does not say so explicitly, but the parties understood that the order contemplates that the opening briefs would be served on December 30, 2010, the response briefs would be served on January 27, 2011, and all the briefs would be electronically filed on January 27, 2011 (when briefing was complete).
3. IC respectfully requests a 35 day extension of these dates because the parties are still completing discovery. Due to year-end holidays, it was not possible for the plaintiff’s deposition and IC’s corporate deposition to be completed in advance of the December 30, 2010 deadline. Written discovery has been served and answered.

4. The parties intend to complete the depositions in January 2011. IC therefore request a 35-day extension of the deadlines to serve and file the briefs relating to the cross-motions for summary judgment.

5. WHEREFORE IC respectfully requests that this Honorable Court enter an order providing that the parties are to serve opening briefs in support of their cross-motions for summary judgment by February 3, 2011, they are to serve the response briefs by March 3, 2011, and they are to electronically file their briefs by March 3, 2011.

Respectfully submitted:

I.C. System, Inc

By: /s/ Peter E. Pederson
One of its attorneys

David M. Schultz
Peter E. Pederson
Avanti Bakane
Hinshaw & Culbertson LLP
222 N. LaSalle, Suite 300
Chicago, IL 60601
312-704-3000

CERTIFICATE OF SERVICE

The undersigned attorney certifies that on December 25, 2010, I served this document by filing it with the Court's CM/ECF system, which will make copies of the documents available to the following counsel of record.

Alexander H. Burke, Esq.
ABurke@BurkeLawLLC.com
BURKE LAW OFFICES, LLC
155 N. Michigan Avenue, Suite 9020
Chicago, Illinois 60601

/s/ Peter E. Pederson